

**CAN THE EUROPEAN UNION HAVE A STRATEGIC  
INFLUENCE IN WATER MANAGEMENT IN THE MIDDLE  
EAST?**

- A qualitative analysis of the potential for the European Union's internal  
developments in water management -

by

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## **ABSTRACT**

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By 2015, nearly half of the world's population will live in countries that are water-stressed, the management of finite resources in this context has become a strategic issue. Despite the few evidence of shared water control being the cause of violent conflicts, undoubtedly they constitute opportunities of co-operation. To this particular extent, it opens the way to new instruments and strategy for mitigating conflicts.

In view of the contemporary imprint of Europe's normative dynamics on the environmental normative order of water management, the EU may have the potential to lead the realm of water management as a means for conflict resolution. From the perspective of security studies, this amounts to water policies being a foreign policy when the decision to project those is taken. Since the EU has traditionally found it easier to produce common economic policies than common and foreign security policy, this option represents a serious opportunity. The future of the latter therefore lies in Europe's capacity to experiment new instruments, through cross-pillarization, and to take advantage of the emergent global governance. To this particular extent, this paper evaluates if Europe's power in water management impacts at all in world politics, how it impacts, and whether it is effective in producing the intended effect of greater security (through stabilization). Understood as a foreign policy option, EU water policy and initiatives can effectively serve security ends should the EU become conscious of this power...

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## CHAPTER I: INTRODUCTION

Last June, the European Council mentioned the “vital strategic importance” of the Middle East to European Union’s (EU) security. In December 2003, M. Prodi, the then-President of the European Commission (EC) aired the ambitious idea of a “policy of proximity” whereby the Union was to “be prepared to offer more than partnership and less than membership” to its neighbours with no membership agenda. Brussels is desperate to find ways to address the EU’s security issues at its ‘new borders’, and around the Mediterranean and deal with its “difficulty in ceasing to enlarge” (Hakkoula 2007:9).

The EU has been more successful in producing common economic policies than common and foreign security policy (Hix 2005). The latter suffered from the differences between Member State’s (MS) conceptions on how to best defend their security (Pfetsch 1994; Hill 1996) which is central to concepts of national identity and the associated desire to preserve their national sovereignty (Hix; 2005). In addition, the EU’s failure to define its own destination prevented the formulation of a united and coherent position in the international arena. The EU’s capacity to produce norms and regulations however, has served Europeans’ commitment to address the most pressing of global issues, climate change, and made it a unique global player (Vogler 2006). By 2015, nearly half of the world’s population will live in countries that are water-stressed (UN reports). Such global concerns require external policy makers to experiment new instruments and initiatives so as to best ensure security. If the aim is to gain a greater understanding of how power is “put together”, political scientists can no longer afford to stick to the classical state-centric approach, and to ignore the informal rules, channels and spaces of influence. Only alternative approaches to the study of foreign policy, that is a comprehensive account of the modern political technologies, can reflect the complexity of the nature of the interactions constituting the “new world order” (Slaughter 2005).

The EU’s power to construct norms (normative power), its unique polity together with the need for an international role and the emergence of global governance put it at a crossroad. The opportunities and risks to engage in new political spaces suggest that it can position itself as a global leader. Should political leadership consist of defining visions that can offer better prospect and to correctly identify global opportunities and challenges, then the European Water Framework Directive (WFD) can be seen as a reflection of the EU taking on such a role. In this context, the future of Europe’s foreign policy lies arguably in its capacity to define the adequate instruments developed internally so as to increase its political influence in strategic political spaces.

This paper attempts to address the following research questions: (1) Does the EU's internal developments (i.e. the WFD) have an impact on water management abroad? (2) How is the EU's water normative order, originally developed for its MS, 'projected' so as to affect its international environment? (3) Is such an influence effective in producing the intended effect of greater security through stabilization? The reasoning thus builds on the premise that internal reform of the water sector in the constituting parts (the countries) of the system (the region) may in turn transform the Middle East's (the milieu) instability.

The theoretical framework and justification for choosing the Middle East and the particular emphasis on Lebanon are explained in section II. Section III examines the empirical evidence surrounding the research questions. These are drawn from three different levels comprising three case-studies. First, the supranational level (does the EU significantly contribute to the production of knowledge in the normative order above the European realm?); second, the level of regional/ inter-state relations through a study of the 2002 Wazzani dispute (Is there a political space where such an influence could materialize and produce the intended effects, i.e. transforming the politics of water in the region?) and finally the lower national level with a focus on Lebanon (does its actions induce political transformation?). The final part of this paper will discuss the findings and conclude that the EU's water policies are not just another sectoral policy area but also hold some keys to stabilizing and to transforming conflicts in the region. The EU can indeed develop and use its leadership in the water policy area as a foreign policy.

## CHAPTER II: LITERATURE REVIEW & METHODOLOGY

*"Thinking about foreign affairs requires a conceptual map ... as maps do, it simplifies the landscape and focuses on the main features"*

British diplomat Robert Cooper

### A: EUROPEAN UNION-FOREIGN POLICY (EU-FP) SYSTEM

The debate underlying the definition of the EU polity constitutes in itself a problem for analysing the *foreign policy* of the EU. It is not a state therefore it cannot produce foreign policy. However, starting from the "empirical observation that the EU has an impact on the world ... it has a foreign policy of sorts" (Sjursen & Smith 2002), even if the conception of this impact is confusing (Hill 1993 309). The problems of the Common Foreign and Security Policy (CFSP) and European Security and Defence Policy (ESDP), in addition to the detrimental effects of intergovernmentalism, illustrate how, a

traditional approach to foreign policy no longer 'suits the time'. Indeed, the content of CFSP and ESDP increasingly requires overlaps with other areas of the EU competences (Gourlay 2004) and cross-pillarization is becoming central to EU's role in conflict prevention (Gourlay 2004; Pawlak 2007; Stetter 2003; Lavenex 2004).

Tezcan's conceptualisation of EU foreign policy moves away from (neo)positivism dominance in International Relations (Knorr & Rosenau 1969) which, he argues, limits the capacity to understand 'power' in the context of global governance. It "blocks" (Tezcan 2007:1) conceptual innovation and progress. In order to better define the nature of EU foreign policy, construed following Smith (2002) as a 'system', he imports Complexity theory (CT). 'Classical' conceptual deficits may thereby be addressed with CT's focus on non-linear patterns of interactions. Inevitably, such an approach will lack clarity, and gain uncertainty as to where power is located and how much is expected. Yet, following Kennedy and Allott's views on the legal professions, one can draw the parallel; political scientists, when analysing Europe's Foreign Policy need to *decide* between "clarity and constructive obscurity" and "between honesty and discretion" (2004:5)

Hence, the following analytical exercise attempts to shed some light on the manifestation of the EU's international power in the form of a normative device, a highly complex phenomenon (Smith 2002; Axelrod 1997; Cederman 1997; Hill 2003; Manners 2007). *What* is studied and *how* it is studied (i.e. the definition-boundaries and the methodologies) are the main challenges. Some authors distinguish between EU Foreign Policy (EU-FP) and European Foreign Policy (Hill 1993; Wallace 2003; Manners & Whitman 2000; Smith 2002). This paper takes EU-FP as being Europe's foreign policy. Moreover, the EU foreign policy system makers include government officials, regulatory agencies, ministries, experts, NGOs, industries, that is, in a line similar to that of Katzenstein (1996), the agents collectively representing –not the state but– the European polity. They are indeed "positioned at the intersection of transeuropean processes and national structures" (Tonra & Christiansen 2005) and participate to the complex interactive set of variables. The shift of focus from government to the role of non-state actors, i.e. 'governance', is thereby the foundation of this paper. The narrow, self-limited conceptual methodology of the state centric approach to EU-FP does not permit to account for the numerous power instruments available to the EU. The dynamics of global and EU governance and cross-pillarization, whereby policy-makers, experts and other actors now have the administrative power to make discretionary decisions (Butler 2004) that reaches strategic levels of politics, reflect modern power relations.

B: THE POWER OF NORMS AND NORMATIVE POWER EUROPE



Manners' Normative Power Europe (NPE) (2002; Diez & Manners 2007) attempted to characterize EU "new type of actor(ness) in international politics" (Diez & Pace 2007:2). The European "repugnance for realpolitik" (Laidi 2008) is reflected in NPE's medium being not the use of military force but incitement, inducement, seduction and political support. Academics' efforts to try to define the EU 'identity' as a civilian power, a civilising power, or a normative power, will not come under critical review here. Like Sjursen, these terms will be used interchangeably (2006). Moreover, although NPE was "never an analytical device but a normative one" (Hakkoula 2007:1), the paper uses it as an analytical device. Understood as a foreign policy option, the idea of 'EU-FP Water Component' refers to NPE in the water sector and its resulting capacity to induce changes in non-EU states in the Mediterranean region, also called the 'Arc of instability' (Emerson 2002:19).

The subsequent development of EU foreign policies is thus based on liberal internationalism and on Kantian philosophy. The normalizing purpose is to generate homogeneity (Merlingen 2003), so as to enhance predictability and stability. 'Power' can then be understood as an "effect of norm leadership and persuasion" (Diez & Pace 2007:1), which in a world where hard power is increasingly harder to justify, appears as 'key' to international security (Nye 2004).

Conceptualizing power in this context is already complex. So, "how do we know a norm when we see one?" (Finnemore & Sikkink 1998:2). A Foucauldian reading of the EU-FP system in this context builds on the social constructivist tradition (Tonra & Christiansen 2004) and defines 'norms' as "means of control or limit that impose a series of social, cultural, political constraints on human agency, and means of emancipation from insecurity" (Merlingen 2007:442). The process of creating both hard norms (embodied in texts and having force of law) and soft norms (court rulings and operating procedures) inevitably involves that of selecting. The "instruments" (observation, examination and recommendations) are then exercised and "discipline countries" (Merlingen 2003:10). These instances of 'governmentality' (Foucault 1991) can only operate in a context of global governance; that is where a wide range of actors, from international organisations to governments and NGOs, come to endorse the task of implementing the normative order and maintain the "norm structure" themselves (Pace 2007). Structured along the lines of 'governance by networks' (Slaughter 2005), i.e. the building of trust and the establishing of relationships among the network's participants which "create incentives to establish a good reputation and avoid a bad one ... to exchange of regular information ... and to develop databases of best practices" (Slaughter 2005:6), this new world order "creates potential gains from cooperation" (Keohane 2000:1). By creating norms, and repeatedly referring to these, the EU creates the institutions needed to harness those gains (Keohane 1988; Wendt 1999). To this extent institutional and development objectives of EU external policies serve security goals, most particularly in a context of

'hydrohegemony' (Zeitoun 2007) like the Middle East where securitization processes easily enter the geopolitical game.

#### C: WHY IS THE EU DOING THAT? WATER WARS VS. WATER CO-OPERATION

Countries suffering from resource scarcities<sup>1</sup> be they perceived or real, tend to reach beyond their borders. If access to these resources is obstructed or denied, countries with superior capabilities will exercise pressure from peaceful interactions such as trade agreements to coercive actions involving the military (North 1977; Gurr 1985). The geopolitical consequence of such a disagreement however offers no 'general consensus' in the literature. Some argue that it drags on the economy, and if the scarcity persists, social disruption (i.e. internal conflict), as well as the risk of social and military conflicts, is likely (Remans 1995; Ehrlich 1972; Gleick 2000; Lundqvist & Gleick 2000). Moreover realists explain the failure of co-operation over international river with the destabilizing effects of states' eternal concerns; sovereignty, territorial integrity, and security (Elhance; 1999). Others argue instead that resource scarcity triggers technological and diplomatic innovations, not wars (Wolf 2000; Dinar). More interestingly, Lepawsky (1963) has shown that separating the negotiation of organisational arrangements for shared water administration from the disputes and tensions between the riparian countries is a possibility. On the premise of analogy thinking (whereby possible future developments are foreseen and described in light of past similar situations), international watercourses are here viewed as opportunities for co-operation. Hence, in the same way that the EU, from an institutionalist perspective, was constructed through pragmatic and technical dynamics ('spill-over') and gradually moved beyond the issue of sovereignty, co-operative arrangements over water are thought as potential roadmaps for peace.

#### D: THE MIDDLE EAST?

Interestingly enough, one of the first attempts at policy coordination within the European Political Cooperation centred on policy toward the Middle East, yet in light of the poor result of the CSFP, this paper focus on sectoral policy area as a window of opportunity for the EU-FP system to be more effective. Enlargement has long been considered as the most effective foreign policy of the EU, in particular with the 'conditionality' instrument which enforced accession states' Europeanization. Choosing a country where conditionality instruments are not applicable is pivotal to the testing of our hypothesis. Indeed, the absence of the 'conditionality dimension' in the Middle East arguably permits a more thorough analysis of ENP's effectiveness.

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<sup>1</sup> Protracted (as opposed to temporary) water 'scarcity' refers to as 'stress'

As the last new member joined, French President F. Mitterand warned, the EU would cease to be able to provide the benefits – of solidarity, shared decision-making, common prosperity and security – which they are seeking (Wallace 2003). As a “substitute”, the EU created in 2003 the European Neighbourhood Policy (Hakkoula 2007: 12). Yet, ENP has not been positively reviewed in cases where membership was not on the agenda (Bretherton & Vogler 2006; Wolczuk<sup>2</sup> 2004; Tovias and Ugur 2004). Issues of legitimacy, structural constraints, the ‘logic of appropriateness’ (March & Olsen 1989), are but just few of the elements conditioning NPE (see also Gill & Law 1988). A critical account of the state of reform in these cases suggests indeed little “transformational power” (Laidi 2008). Yet, norms and rules are internalized through long and slow process in the Union (Zielonka 2001) longer assessment period may thus be expected in third countries. Alternatively, one may opt for another kind of political change: one that affects the nature of political *processes* (i.e. governance), modernises *actors’* interactions (i.e. the ‘networks’), and shapes the system differently (the milieu).

#### E: METHODOLOGY

Since international legal documents’ comments and analyses seldom address the impact and usefulness of international law in scarce-resource regions where sharing is a contentious issue, the legal account of the influence of the EU on the international stage of water management will be relying on the literature analyzing the European water law and identify the normative legal concepts it provided the international community with. This measure will be qualitative (the nature of international law prevents a quantitative analysis of its influence: since it is not legally binding, collecting court cases, or judicial dispute is of little relevance).

Proving that the EU has influence with a theoretically-informed structural analysis requires considerable empirical research. This paper uses primary and secondary documentary analysis; officials policy reports, interviews (via e-mail), and the presentations of M. Mazzitti (President of EU Task Force on water for the Middle-East peace process in 2002), and M. Freda (European Investment Bank) from the meeting for the “Preparation of EU’s position for the 5<sup>th</sup> World Water Forum 2009” held in Zaragoza on the 8<sup>th</sup> of July 2008. It is a limitation of this study that the conclusions of the projects and policies under review will be available only by the end of this year. The interviews however, provided up-to-date information.

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<sup>2</sup> Ukraine

## CHAPTER III: CASES-STUDIES

### A: THE SUPRANATIONAL SPHERE OF WATER MANAGEMENT NORMATIVE ORDER

This case study is a critical overview of the global history of water governance and the associated contemporary normative changes: it first reviews the evolution of international water law and the European contributions, then it examines the WFD adopted by the EU and its impact on the global normative order of water management. Finally it looks into the characteristics of EU policy-making and global governance.

#### i. International Law: A Historical Review

International water law is concerned with protecting the resources or regulating inter-states relations over the shared resource. Historically, in its absence, or in cases where it was inefficient, other means were used; economical incentives, lobbying, military forces... International transboundary freshwater law (and its underlying doctrines) has clearly shifted in direction and in substance over time (Blatter 2000). Subordinating the protection of the global commons to the full realization of state sovereignty, the so-called 'Harmon Doctrine' assigned water rights on the basis of riparian countries' geographical location along the river, and granted absolute sovereignty for each nation within its territory. With the advent of international law however, and later on, as a result of EU's capacity to upgrade the issue of climate change at the top of the world agenda (Laidi 2008), political sovereignty has come to gradually be subjected to some limitations, which "go beyond the contractual sphere of multilateral conventions" (Tal 2007).

The 1972 Stockholm Declaration gave official recognition to the notion of limited sovereignty (Linner 2003) and the 1966 Helsinki Rules introduced the standards for transboundaries watersheds allocations on the basis of "reasonable and equitable" share (Art. 5). However, the definition of the parameters, which constituted Article 5, lacked precision (e.g. the definition of 'basin geography' and 'basin hydrology' are not detailed). Then, the 1997 UN Convention on the Non-Navigational Uses of International Watercourses (The New York Convention) added basic concepts of modern environmental policy and rejected the basin approach (Tal 2007:219). Subsequently, the main basic legal principles, which emerged from these international undertakings, are a set of procedural rules in state treaty practice; the duty to exchange information, the duty to notify (yet the level of detailed *prior* notification requirements vary among the instruments), and the recommendation to consult (yet mostly viewed as an *obligation*).

#### ii. The International Normative Order of Water Management

The same way the viewpoints as to the utility of international law varies with institutional and political contexts of the different American administration (D. Kennedy 2004); that of international water law vary with countries. Hence, viewing international law as “a vocabulary for policy-making” (Kennedy 2004:2) appears particularly relevant to our approach of NPE (or EU-FP Water Component). With the 1997 Convention producing a constitutional framework for managing differences, and the World Summit for Sustainable Development (WSSD) in 2002, the EU has had a direct opportunity, due to its history, to exercise this power in light of its considerable contribution to the water management vocabulary (concepts, definitions, parameters etc.). More importantly, it did so in reference to its own experiences whereby bitter and persistent national conflict have not been insurmountable barriers to the proper administration of international(ized) rivers (Lepawsky 1963:534). Building on the historical evolution of the functional role of the Rhine (established at the Congress of Vienna in 1815) and the Danube<sup>3</sup> (1978) Commissions (from operating administrative tasks<sup>4</sup> to exercising multipurpose authority<sup>5</sup>), Frijters & Leentvaar (2003) concluded that “sound technical scientific cooperation strongly supports the basis for transboundary water management policy”. This has constituted the position promoted by the EU and its subsequent policies; as a combination of law and power (Kennedy 2004) and informed by its internal dynamics, enlargement policies and ENP bloomed and sought to expand a particular set of norms.

### **iii. A Global Leader In The Field**

The Water Framework directive, Directive 2000/60/EC<sup>6</sup>, a single, overarching piece of legislation, aroused as a response to the then fragmented European environmental legislation of European freshwaters (replacing 7 European Directives). It created a legislative framework for cross-border co-operation, pollution prevention, public participation in water management, economic analysis of water use and Integrated Water Resource Management (IWRM) issues. With new standards, institutions and planning processes for managing Europe’s waters, “the role of the EU in the formulation of environmental policy” was re-inforced (Kallis & Butler 2001: 140).

The trend that it gave public recognition to in 2000, affected EU Member State and the accession countries but also the wider (global) arena. This was a significant legislative step in the water sector in that it became a template for the making of the GWP during the WSSD as it referred to WFD’s codification. It proposed important ecological categorisation of water

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<sup>3</sup> More recent yet all the more instructive given the political context, and that half of its riparian states stand outside the EU (see Sironnneau)

<sup>4</sup> E.g. co-ordination, standardisation

<sup>5</sup> E.g. flood control, irrigation, hydroelectric planning

<sup>6</sup> 23rd of October, 2000.

parameters<sup>7</sup> (quantity, quality, definition of water bodies...) establishing thereby the conceptual tools global water policy makers will come to use (e.g. 'good water status'). This way, like in the WFD, public participation was presented as the (most) strategic challenge to be addressed to ensure a successful implementation of IWRM.

IWRM is a "process, which promotes the co-ordinated development and management of water, land and related resources, in order to maximize the resultant economic and social welfare in an equitable manner, without compromising the sustainability of vital ecosystems" (Larsen 2008:5). By setting out the broad lines of Europe's conceptualization of IWRM, the WFD was "promoted as a model" outside Europe, whilst the underlying environmental-ecologist dimension justified its exportation. To be sure, tracing back to its origin, the European understanding of IWRM is innovative in that it is tainted with environmentalism. Wilhem von Humbolt of Prussia had put forward during the Congress of Vienna, that a river was to be envisaged as a unity (Wouters 1997) so that the physical features of a drainage basin were to be the basis of its administration and legislation. The first formal (and innovative at the time) application of IWRM materialized in France in 1964, which also saw, for that matter, the creation of basin agencies<sup>8</sup> and shortly after, the 'genossenschaften'<sup>9</sup> in the Ruhr region in Germany (Lasserre & Brun 2007). Earlier IWRM implementations in the US by the Tennessee Valley Authority (1934) and by the Colorado River Compact (1922) were, M. Lasserre suggested, "driven by the concern to increase the production of hydroelectricity and less by ecological reasoning" (Lasserre & Brun 2007). Hence, today's version of IWRM is essentially of a European origin.

Normative orders however, are products of a series of global interactions, back and forth policy processes. For instance, the UN in 1986 called for a rationally ecologic management of watercourses, thereby re-inforcing the European trend that had effectively started in 1964. It follows that EU's position is strategic precisely because it can identify new challenges and to act upon them via the institutionalization of practical methods and norms codification. The WFD illustrates EU's "potential to be a major force in shaping global events" (Hix 2005:404). Following Gupta's interpretative history of water governance (2007) which identifies the existence of "converging forces" over different period of time, the contemporary normative order of water management can be said to bear the imprint of Europe's normative dynamics. With the Water Directors<sup>10</sup> officially declaring

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<sup>7</sup> Reaching a degree of precision in itself progressive in view of the WFD's ancestors

<sup>8</sup> Agences de l'eau

<sup>9</sup> Cooperative unions (Author's translation)

<sup>10</sup> They are the MS representatives and other countries administrators (Accession and candidates as well as EFTA members, the European Commission and European Environmental Agency) with overall responsibility on water policy.

that their goal is to “disseminate as much as possible” (MED EUWI/WFD 2007:6), M. Mazzitti declaring that IWRM is “the only solution in the future” and the set up of the Euro-Mediterranean Water Information System on know-how in the water sector (ENWIS), “European standardisation” (Ollivier 2004:25) surely seeks internationalization. In this context, determining who holds this power (and the responsibility) is a complex task.

#### **iv. The Original And Open Policy-Making Process Of The Eu**

The WFD is a product of the unique or “messy” (Richardson 1997) policy-making process of the EU (Hix 2005; Ugar 1998; Hofhansel 1999) whereby lobbies find several access points to further their interests and shape the policies. The EU water policy process is no exception as to the way private economic actors articulate their interests at the European level and affect the computation of MSs’ nationally-adjusted preferences. EU Water policy falls under the competences of the DG Environment, which implies a pro-environmental stance. The lack of precision in the definition used in the WFD is a direct consequence of this process (Ollivier 2004: 17): the comprehensive definition of ‘ecological status’ was changed after the chemical and agricultural industries had successfully inputted their views (fearing the consequences on their activities). Arguably, they proved more efficient than the aquatic experts and ecologists and pressed for more evasive definitions. Many stakeholders (private interests, NGOs, MS...) participate to the definition of water policy, which the EC then uses, in the same manner that it does with its external trade policies, to promote specific political goals in the Mediterranean (Hix 2005; Nuttall 1996).

#### **v. An ‘Unreflexive’ Normative Order?**

This way, the WFD institutionalized a particular set or ‘system’ of knowledge, which is not immune to scientific controversies. For instances, the concept of “eco-regions”—that the WFD establishes as general consensus (in Foucauldian terms ‘normalized’) is debatable (Noble & Cowx 2002). Defined as a spatial and homogeneous unit (climate, geology and relief) embracing groups of species, which have supposedly the same “sensitivity to disturbance” (Ollivier 2004:17; Charvet 1999; WWF 2000), the concept of ‘river basin unit’ lacks ecological realism (Cardoso 2003; Waason 2001). Indeed, it only corresponds to where the raindrops fall; animals and trees (forests) do not respect these borders. To be sure, the basin only “forms a system whose component parts are interrelated” (Mc Caffrey p52) but necessarily excludes other components (e.g. aquifers are not taken into account in the determination of the river basin boundary). This normalization can have dire consequences since innovative thinking or improvement may be prevented: the hydrological reality is far more complex (Eckstein 2005). Clearly, the EU does not promote neutral norms (Bicchi; 2006). Along the lines of sociological institutionalism, these are “freely adopted” (Finnemore & Shikkin) because they are seen as natural and legitimate (Olsen & March 2004), the ‘N’ of NPE therefore is a historical

product of the following “contingent normalizing practices” (Merlingen 2007: 440): particular epistemic communities and their codification, as well as the rise of environmentalism (Gupta 2008: 2).

Interestingly, Ollivier (2004), after having conducted a thorough content analysis of the WFD, has shown that the normative consequences of its ‘eco-centrism’ are relatively limited. Due to the unique nature of the policy-making process in the EU described above, which posit compromise between the participating interests as the only outcome, the environmental objectives (‘good water status and aquatic environment’) of the WFD may end up being less significant than IWRM’s political implication for conflict mitigation. Since WFD holds some keys to increase water cooperation, EU-FP Water Component can exist and make the EU a leader in water conflict resolution. However, this very potential can be exploited only if a political space is identified so that it can surface as such; the 2002 Wazzani dispute in this respect is instructive.

#### B: A POLITICAL SPACE FOR AN INTERNATIONAL ROLE: THE WAZZANI DISPUTE

The following section seeks to reveal the “enlarged opportunity” (Lepawsky 1963: 549) for European expertise to enter the water geopolitics of the Middle East. Since inter-state conflicts threatens regional stability, testing the ‘P’ (power) of NPE entails an evaluation of whether it successfully brings about the intended effect of regional cooperation (at least on water issues).

##### **i. The Context**

Historically the relations between Lebanon and Israel (and prior to its creation, the World Zionist Organization) over water resources have been the object of recurrent tensions, heated debates and some would even argue, even the cause of the 1967 war (Stauffer 1985; Naff & Matson 1984). More recently, in February 2000, Lebanon notified Israel, via the United Nations Interim Forces in Lebanon, about its plan to build a small pumping station along the banks of the Wazzani Spring, a tributary to the Hasbani River (See Appendix 2). After Israel has warned Lebanon not to do so then to interrupt the construction works of the pump, Israel threatened to respond violently to what they considered to be a unilateral change in the status quo of the river. This episode is telling as to the status international law enjoys between the two countries. Although, Israel abstained in the 1997 UN Convention vote, whilst Lebanon, absent, became a party later on, both still referred to the general principles of international law at times (Daibes-Murad 2005: 166). As we have noted above, the actual power of international water law is doubtful since it lacks enforceability. Interestingly, Mc Caffrey one of the foremost authorities on international water law has argued that it is more accurate to speak of international water law as being customary (2001). This causes even



greater complexity, unfortunately, as to the understanding of its implications, practices and reliability since it implies that states' motives for abiding to its rules are essentially moral - out of a sense of legal obligation (Dellapenna 2001: 266).

Lebanon claimed it did not violate the 1953 Johnston Plan provisions (not ratified by either parties<sup>11</sup>), whereby it was allotted a 35 million m<sup>3</sup> share of the Hasbani River. The infrastructure works, planned by the Council of the South under the supervision of the Litani River Authority (following the Law 221 institutional reform), were to connect 60 communities to running water for domestic use: it was thus in line with a development strategy (of the South of the country, liberated from the Israeli force, in 2000). The substantial principle of international law of "equitability" was respected. Israel however, based the argument supporting the 'casus belli' claim on procedural rules. The failure to notify *and* to negotiate on a bilateral basis was put forward. Thereby, through "a process of claim and counterclaim" (Dellapenna 2001: 266), both used international water law as a normative referent. It follows that, although uncertain, international law is a starting point for negotiations, a set of general rules guiding the interpretations of agreements and inter-states relations over transboundary watercourse.

## **ii. The problem of 'perceived' threat**

The Wazzani dispute illustrates how water issues come to be 'securitized' (Zeitoun 2007; see also Buzan, Waever & Wilde 1998). The geopolitics of the region (Israel's military and economic superiority) allows for what is arguably a minor change to turn into a security issue worth fighting for ('securitization'). The pump, located 1 km north of the international border (now called the 'blue line'), immediately north of the Alawite village of Ghajar, was to supply the impoverished village of Wazzani with drinking water. Realistically, the small diameter of the pipeline (10-cm) was evidence that the project was local in character and orientation (Schiff 2001; Reeves 2001). The volume withdrawn (10 litres per second to the village) was by no means sufficient to endanger the people of Israel (Ha'aretz 2002; New York Times 2002; Zeitoun 2007). Nonetheless, as the Israeli paralleled this to past Lebanese diversions from the Hasbani River, they *perceived* this construction as a threat to their water security. This exemplifies how "as time passes on ... and as regional demands become ever more pressing, the "local" problem of Lebanon managing its "abundance" will inevitably move further and further away from the purely local arena" writes journalist W. Long (The Daily Mail). Indeed, a state's relationships with its neighbours inform its perceptions and concerns about its security, and by the same token, the making of its foreign policy (Zeitoun 2007:2; Amery 2000). This constitutes additional evidences for the potential of WFD to be used to as a conflict mitigation factor (this is

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<sup>11</sup> Lebanon rejected the Johnston Plan on the grounds that it would constitute *de facto* recognition of Israel (Zisser 2002).

developed further in the following section): the dangers of *perceived threat* may be reduced if more actors are involved in water decision-making (Choucri and North 1972, 90).

### **iii. Npe In ‘Action’**

EU’s Rapid Reaction Mechanism, designed to “provide flexible and timely short-term assistance to contribute to the stabilisation of countries undergoing crisis” (EC 381/2001) was deployed in 2002. Within two days (and on the specific request of Lebanon) it provided a team to conduct technical expertise to lay the basis for the negotiations (RRM End of Programme report 2003) *and* suggested a development plan for the south of Lebanon (which obviously constituted a problem in itself for Israel). It intended to address therefore the issue of intra-Lebanese politics in search of national cohesion or sovereignty. Such an ambivalence presented an opportunity for Europe to make use of the system of knowledge it had contributed to on a global scale. In so far as “there can be no management of water without knowledge of the resource itself” (Beirut Water Week 20050, the RRM is a channel allowing the ‘technicalities’ to shape outcomes<sup>12</sup>. To this particular extent, EU-FP Water Component is significant.

Both states’ national positions regarding international actors’ intentions however, attested for the limits of the exercise of normative. Given Lebanon’s distrust concerning the US involvement in the resolution process, defined as “technical” and “unofficial” (Newman 2002:2), and Israel’s negative narrative of EU intervention in the region in general (Zalzburg 2004), the political space for international intervention turned out to be rather thin. To be sure, the Lebanese had requested a UN framework to secure this political space and support the European technical report. Unfortunately, the impartiality of UN staffs was compromised once they had displayed their support for the Lebanese position. Consequently, a UN Program Officer reached the following conclusion: “it is hard to see how the very short document without much content could have been as instrumental as hoped, to the non-escalation of the conflict”.

### **iv. The Region ‘s Complex System Of Water Arrangements**

Interestingly however, evidences tend to support the view that securitization strategies are circumstantial. Israel has two pumps inside Lebanese territory, which allocate water to itself and to the Israeli-occupied village of Ghajar, whilst some of its pipes continue to supply water to a dozen Lebanese villages. These *de facto* 'arrangements' hold because they benefit both parties (Hussein 2002). Shared waters therefore, may be ‘meeting grounds’ rather

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<sup>12</sup> The specific task of the team was to provide “objective information on volumes being extracted from the springs...as well as a technical overview of the parameters affecting the usage of the water resources

than “battle grounds” and serve the purpose of ‘politics by other means’ should the circumstances allow so. Since, as Peres put it, “Israel is interested in a solution, and not escalation” (Newman 2002), transforming the conflict, as in separating the water issue from territorial sovereignty, by exercising NPE over the administration of water (scientific assessment, basin-base management) may “offers opportunities for building confidence and fostering greater co-operation” as Snoy suggested in his presentation (Zaragoza 2008). The RRM did provide a “non-political channel of contact with the Israeli side” and also “ensured the EU Prime Ministerial level access on the issue in Lebanon” (RRM Report 2003); consequently this technical breakthrough is strategically significant and may help the EU to find a role of its own. This way, although the politics should not be avoided, a move away from state-centrism is thus not to equated with a loss of power.

The Wazzani dispute revealed the existence of the political space where EU-FP Water Component can be exploited to affect regional politics. The effectiveness of the later at the national level needs now to be tested against the harsh(er) realities of implementation and political transformation.

#### C: AN EVALUATION OF *POLITICAL CHANGE* IN THE LEBANESE WATER SECTOR

*“Law (and norms) are marginal, it speaks but does not do”*

Kennedy 2004:2

This case study intends to evaluate EU’s normative commitment (Scheipers & Sicurelli 2008) in the Mediterranean along the lines of *processes*, *actors* and *milieu*, which compose the EU-Lebanon interaction in water-related matters. *Processes* will be addressed through a critical review of some of the main EU-policies, initiatives and projects undertaken or headed by the EU; *actors* connote Lebanese water stakeholders and *milieu* refers to the regional situation (as studied in the Wazzani case-study). This way, the idea of EU-FP Water Component is examined from the perspective of ‘action politics’: that is the extent to which it generates reforms and political changes.

#### i. The Instruments Of The EU

Lebanon, and this a paradox, was traditionally characterized as a water-rich region (El-Fadel et al. 2001), yet due to its incapacity to balance supply and demand (i.e. mismanagement) water has become scarce. In fact, both structural (population growth) and managerial reasons lie at the heart of this problem. The agricultural sector alone absorbs more than 66% particularly concerning since water scarcity lead farmers to compete individually for water and traditional communities to dissolve (Regner 2008). Water usages need to

be considerate of the current state of the resource; this is a water management issue. EU aid policies towards the Middle East water sector is managed by EuropeAid Cooperation Office (DG AIDCO); it cooperates with the External Relations DG (which negotiates the overall political cooperation framework, e.g. the); with the Environment DG and finally with the DG Research. EU and Mediterranean countries' cooperation (the Euro-Med Partnership) is based on a regional approach through the "Barcelona Process" (launched in 1995), which is now under the aegis of the recently created multilateral framework of the Mediterranean Union (July 2008); this is complemented with bilateral-based ENP. The Community budget allocates about EUR16 billion to the latter, while the European Investment Bank provides in addition for EUR 2 Billion.

More specifically, the EU Water Initiatives (EUWI) aims, in a line similar to that of Slaughter's idea of 'governance by network' (2005), at exchanging information and knowledge, transferring technology, raising awareness of the population and boosting institutional and training capacity" (Final Report 2008). Its regional policy tools are the WFD, EMWIS and the Mediterranean water Initiative/the Water Framework Directive Joint Process (MED-EUWI/WFD JP). The underlying financial tools are the European Neighbourhood and Partnership Instrument (ENPI) funded by MS and the EC, the Mediterranean Regional Programme (MEDA) funded by the European Commission and managed by DG EuropeAid, and the Euro-Mediterranean Investment and Partnership (FEMIP). ENP's 'Action Plan' *process*<sup>13</sup> was created to address the issues concerning Europe's periphery: they are in line with the WSSD principles (which, as noted above bear the imprint of the European normative order) and most particularly with the implementation of IWRM in the fashion of the WFD.

## ii. The National Dialogue as a National Strategy

The *process* of MED-EUWI builds upon and complements the ongoing policies of ENP. It was set up as a "joint" political initiative of the Member States and the European Commission, following the Johannesburg WSSD and the corresponding Plan of Implementation (2002): its activities, coordinated by the European Commission, are on basis of a strategic partnership. The so-called National Dialogues (ND) *processes* represent the national dimension of this initiative; the aim is to implement the water-related component of the 'Action Plan'. They identify the priorities (between projects and funds) so as to best reinforce (let alone maintain) political commitment, assist mutli-stakeholder processes, and finally develop regional and sub-cooperation by assisting in the application of IWRM "including transboundary waters" so that it contributes to conflict prevention (MED-EUWI/WFD JP 2007: 5).

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<sup>13</sup> The definition of the Action Plan benefits from other international organisations inputs (e.g. the 'Plan Bleu' which is funded by both the EC and the UN and seeks to improve water demand management).

In view of the need for greater financial support to the implementation of the ND (Beirut Water Week 2006), the EIB, via the Facility for FEMIP, had pledged additional funds (EUR 960 Million) to the Lebanese government (of which more than 50% are to be allocated to the transport and water sectors). The explicit political commitment of the political authority (*actors*) to approximate Lebanon's legislation to norms and standards of the EU (i.e. IWRM, adequate financing and technical capacity, negotiational skills for the promotion and management of international river basin programmes and agencies) was clearly expressed during the Beirut Water Week (2005). The state's capacity to internalize these norms however, encounter obstacles given the political nature of such an undertaking (Sloss 2006).

### **iii. The Political Implications of Norms and Reforms**

In 2000, the Lebanese water sector started implementing reforms (first wave) with the Law No.221<sup>14</sup>, which involved for instance restructuring the water supply (Jaber, B. & Catafago 2001). Despite the loan of the World Bank being cancelled due to the Lebanese state's failure to fulfil the conditions on time, the reform was pursued as alternative donors came forward, such as the EIB and the French state. The EU has therefore paid particular attention to the path of reform in the water sector over the last decade. After the adoption of the WFD, the EU developed the policy instruments reviewed above and concentrated on addressing the absence of a "country-wide planning" (El-Fadel et al 2001: 437) with the Lebanese (ND) intended to design a strategy for reform and serve as a basis for legislation (Haddadin 2002).

In Lebanon, the introduction of IWRM, in the fashion of the WFD, is structured along three lines: economic efficiency, environmental sustainability and social equity. IWRM however is, given Middle East's political context, a particularly sensitive concept since it implies a limited approach to sovereignty. Indeed the management unit is the basin and not the administrative, or national lines. In addition, its implementation requires simultaneous decentralisation, which in view of the recently recovered state sovereignty in the Southern part of the country (Israel occupied Southern Lebanon up to the Litani basin until 2000) is challenging. Interestingly Blanc (2006) has shown that as the state concentrates its efforts on regional development, it strengthens national cohesion and by the same token, its sovereignty. This way decentralization can actually help connect water management to the public's perception of the resource (Lipchin 2007:262) and avoid occurrences of misconception of the actual state of the water situation (at the heart of the Wazzani dispute). Greater accuracy in people's

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<sup>14</sup> Designed by the World Bank had designed with the Administrative Reform and Energy and Water Ministries, Ministry of Energy and Water (MEW). It defines the role of the MEW, strategic planning and regulatory functions, and consolidated the number of water servicing authorities from 22 to 4 Regional Water Authorities (See Annex 2)

evaluation of their country's relations liberates them from the centralized state system's ability to shape their perceptions of national security over which they have little control (Lipchin 2007; Zeitoun 2007).

Clearly, water is a multi-dimensional issue affecting all kinds of societal and political problems across the sociological map. To be sure, the growing gap between the development of the centre and the periphery in Lebanon suggests that water management restructuring is part of a "regionally balanced development" strategy<sup>15</sup> (Blanc 2006:116) which holds strategic importance in the lines of security studies<sup>16</sup>. The political challenge (of EU-FP Water Component) lies therefore in tying the success of IWRM reforms with that of strengthening the Lebanese state sovereignty. It should be noted that the Waters Directors reported (4<sup>th</sup> Forum 2007) that the MED EUWI type of activities presented interest and were positively considered by the (Lebanese) local partners, while the Lebanese authority stated their commitment to "ensure the effective decentralization of means and responsibilities" (Beirut Water Week). Despite the *efforts* of the EU, visible in the declaratory politics and allocation of funds, the technical (i.e. scientific) nature of its recommendations, and the Lebanese political commitment, "substantive reform and construction efforts" (Long 2007:1) have not resulted.

#### **iv. With water it's easy... or is it?**

Indeed, a closer look into the Lebanese water sector seems to suggest that the intended effects are still yet to come. Although M. Safa, the General director of the Lebanese Centre for Policy Studies claims that "compared to the electricity sector, compared to the VAT which was implemented...water is relatively easy...you pay once a year based on use and the resource is here" (Long 2007:2), in practice it seems more complex. The ability to generate political commitment from the officials and other water stakeholders is one measure of the EU normative *power* in the field, another is to gauge on the steps undertaken to implement the latter.

A 2007 Ministry Report on the status of reform lamented on the "lack of participation by the stakeholders in project design, implementation" (Long 2007:1). The Lebanese water sector remains insufficiently skilled and in poor conditions. A UN Programme Officer remembers how he had "never seen such strange places like the sewage treatment station for Baalbeck and the missing pipe networks for the city connection". Finally, the supporting institutional structure is weak, with poor financial resources (due to inadequate collection of fees from customers), lacks up-to-date data (they are still using data from 1970) and the means to effectively enforce water laws or

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<sup>15</sup> The Local Water Management Programme launched in 2002 for a five years period, seeks to address precisely this challenge of linking the success of IWRM and decentralization.

<sup>16</sup> Indeed it is said to limit the potential for confessionalism (Blanc 2006)

provide clear regulations. Such a dark picture of the path of reform may seem tainted with pessimism; however, as a development-approach, EU-FP Water Component requires broader time horizons and dimensions. Looking at the EU normative power (as in, assessing the effectiveness of this foreign policy option) through the lens of Slaughter's "governance by network" appears more suited, as it reveals an alternative dimension of political change.

#### **v. SPI-Water and Meda II: An Alternative Approach To 'Transformative Power'**

The SPI-Water project<sup>17</sup> (2006-2008), in which Lebanon developed an early interest, intends "to transfer knowledge between research and policy" so as to implement the WFD principles into the Litani Basin (representing 20% of the Lebanese territory). The underlying principle is to have such practices spill-over other basins in the country.

As of today, a UN Official reports from the region that state responsibilities are still not clarified between the ministries, and the four Lebanese regional management units in place have little to do with the river basins limits, so SPI-Water focuses on providing local water stakeholders with a monitoring system for the overlapping responsibilities. Ideally a Basin Agency (on the basis of the French model) should be created. The goal is to raise awareness and create a common understanding of the water challenges through a network approach. Thus SPI-Water is a *process*, since it introduces European know-how, allowing European norms to reach *actors*, in others words the Lebanese water sector decision-makers; the Litani River Authority, the MEW<sup>18</sup>, and the Regional Water Authorities (See Graph 2).

MEDA II (2003-2008) in strengthening the capacity of civil society (Universities, NGOs...) and formulating guidelines and pilot projects, is working on strengthening 'governance by network' on a bilateral level (EU-Lebanon). Indeed, it addresses the problem of the existing ban to employ new staff in state institutions (not only in the water sector) whereby the MEW management directorate employs 4 academic staff members while it is supposed to have...<sup>32</sup> It also focuses on capacity-building in view of the low levels of qualifications in the sector since, according to a UN Senior Programme Officer, the posts have not been filled again since 1992. The conclusion of both of these projects unfortunately are still pending (December 2008).

Clearly, reforms processes are limited and slow, most probably due to a range of structural and political constraints (which cannot be examined here), on the other hand, such initiatives gradually introduced a 'governance by network' approach to water management in the country. As *processes*, they create new

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<sup>17</sup> Science-Policy Interfacing in support of the Water Framework Directive implementation (final assessment of the project are to be presented in October 2008.)

<sup>18</sup> Ministry of Energy and Water

interactions: thereby EU-FP Water Component is contributing to the 'modernisation' (Emerson2007) of the 'system'. In view of the EU normative power in water management, and the identified political space in which it could be used, no definitive conclusion (due to the limited time-frame) can be formulated as to whether or not it is transforming the politics of water in the region. Nonetheless, the lack of reform in the Lebanese water sector is not construed as a policy.

## CHAPTER IV: DISCUSSION OF FINDINGS

*It would be surprising if the new order was waiting to be found rather than made. It could be, of course, that our world is already constituted, structured, governed, and we simply lack the vision to understand how it works. It seems more plausible, however, to suppose that our conventional understanding has broken down because things in the world are changing. Changing rapidly and in all sorts of different directions at once. If there is to be a new order, legal or otherwise, it will be created as much as discovered.*

Kennedy in "The Mystery of Global Governance", 2008

The next section reflects on the opportunities to experiment new instruments and initiatives (Muzu 2008), building on theoretical lines as well as on the findings of our cases studies. The added value of complexity theory was recognized so as to better understand how power is put together in world politics by focusing on political processes and dynamics, actors and milieu. Indeed, by using the 'world politics' terminology rather than that of 'international relations' a holistic view of global political interactions is proposed. In spite of the greater obscurity it involves, a number of conclusions can be reached (See Appendices 3).

### ANALYSIS OF FINDINGS: AN EU-FP WATER COMPONENT?

#### A: A FOREIGN POLICY ON THE BASIS OF ITS PURPOSE

Along the lines of Friedman & Starr's understanding of the purpose, whereby "the conception of an effect becomes a cause of an action" (1997 Neil:10), an external policy can be considered a foreign policy if it serves defence or security objectives. Insofar that the strategy of exporting its norms is seen as a means for increasing its security, it can be said to serve the purpose of a foreign policy. Snoy underscores indeed that "unsustainable water management is a threat to stability" (Presentation in Zaragoza 2008). The European system of knowledge in water management introduced through initiatives, projects and policies in the region, seeks to achieve regional convergence in water legislation. Gradually it is affecting actors' normative assumptions: common challenge and common problem-solving solutions



come to be considered which reduces uncertainty. Moreover, with the implementation of IWRM “the regional district becomes a legal instrument” (M. Donzier, Presentation Zaragoza) which contributes to confidence building. Uncertainty and suspicion are central variables in the ‘securitization’ processes. As Case study 2 has shown, this is precisely the political space EU-FP Water Component should occupy and exploit and do so through IWRM in the WFD fashion and the associated norms. Such a process-oriented perspective reveals its potential to create “security communities” (Adler & Barnett 1998; Deutsch, et al 1957).

#### B: A FOREIGN POLICY ON THE BASIS OF ITS IMPACT ABROAD

The other dimension to take into account in order for EU water external policies to be characterized as a foreign policy option is the extent to which it effectively has an impact on the non-EU states. It was shown that the constituting factors of the EU-FP Water Component do influence water governance at the world politics level, can and sometimes do at the regional level and to a more limited extent do - but most have the time do not - influence at the country level (See Appendix 1). Such a complex conceptualization is mainly due to its link with development issues – the fact that water policy is under the responsibility of ENV DG in the EU, but in Greece under the responsibility of the Ministry of Development is telling. Building on a UN official’s comments, “politics and politicians never have nor leave time for development, because they too often want to enforce a solution”. Hence, the “percée technique<sup>19</sup>” (Majzoub 2001) of the EU necessitates complementary sectoral policies, including capacity and institution building and human rights. To be sure, the exportation of WFD in other settings will present a (security) solution to the problems raised by international rivers (e.g the Hasbani tributaries) if it successfully takes into account the nature and degree of political, economic and social cohesion or collaboration, which prevail in each basin (Lepawsky 1963: 548).

Most importantly however, case study 3 revealed an alternative dimension to evaluate EU-FP Water Component transformative power: ‘governance by network’ (process), via a subtle form of authority<sup>20</sup>, gradually influences the water sector (actor and milieu considered). Foucault’s work on power and Slaughter’s writings have thus helped us to identify a less visible political transformation. As the river basin management approach comes to be seen as efficient management, as in the ‘most appropriate’ (March & Olsen), and the associated policies become “truths” (Foucault 1992), the recipients’ philosophy and normative assumptions are ‘modernised’. That is the *process* of

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<sup>19</sup> technical breakthrough

<sup>20</sup> Authority (Axelrod 1997) is a function of the system of rules that limit or govern the range of agents’ choices

transforming the 'what can be done' space which is then transmitted to the policy-making.

### C: A UNITED-POSITION FOR EUROPE

The efficiency of the CFSP has traditionally been undermined by intergovernmentalism. The extent to which the EU proved apt at producing a common internal policy document contributed to the disillusion associated with its incapacity to stand united on the global stage (e.g. the Iraq war). The WFD, as an internal development of the Union, is presented, and seen as such, to the outside world as a coherent formulation of MS's collective interest. Since it is the product of the European policy making process it can be viewed as a summary of the diverse position of NGOs, Member States and other lobbies and associations. This one piece of legislation is then re-appropriated by EU institutions on the global stage and used in world politics so it can effectively enjoy considerable political weight, like during the WSSD in 2002. From this perspective, improving the coordination between internal and external policies (Grevi 2008: 2) and focusing on bridging the gap between sectoral policies and construct multi-level as well as cross-pillar (as in interconnected) policies constitute a promising way of thinking EU's international role (Manners & Whitman 2003; Tonra 2003). In fact, EU institutions have slowly taken such a stance by setting up a website reflecting the concern of the so-called 'Green diplomacy' and the declared intention to achieve a more effective foreign and security policy by integrating different policy instruments (see European Security Strategy report, December 2003).

Smith has argued that, "once the MS have agreed that the EU should pursue particular objectives, they become involved in a process in which their initial preferences are reshaped" (2003:197-8). Indeed, as the EU formulates a strategy and sets up objectives, it generates expectations. Thereafter MS come to subscribe to the subsequent collective identity. EU-FP Water Component, in the wider picture of EU's international role, hence appears as a means for bridging Hill's 'capabilities-expectations gap' (1998:306-28) and creating a common position in Europe's external actions. It should be noted that Manners' conceptualization of NPE is too passive since this paper found (Case Study 1) that NPE in water management is instead actively disseminated. Since the design of instruments and approaches to improve water governance "take the historical and contextual issues into account if they are successful" (Gupta 2007:2), Europe, through cross-pillarization and 'governance by network', it can afford to define what is 'normal' and what is to be 'normed' globally (Forgacs 2000). Such an impact holds great value in the context of Europe's external policies. In successfully changing the assumptions underlying policy-making in other regions, the EU-FP system is at its best...

## D: UNDERSTANDING “SUCCESS”: BECOMING CONSCIOUS AND ASSUMING ORIGINALITY

Reflecting on the lack of promising results in Lebanon despite the EU efforts to reform the water sector, is partly explained by the limited time-frame used in the assessment: it is too early to judge on their effectiveness. From this perspective, measuring the success of the EU-FP Water Component requires more flexible understandings of “success”. Departing slightly to Arthur’s recommendation (1994) whereby in a complex world you want to keep as many options open as possible, this paper advances the following: *you* want to create, cautiously though, as many options as possible. ‘Complex’ in this context is the idea that the changes, the interactions are taking place at different levels and still manifest an order. From this perspective, the original polity of the EU is an opportunity. To have a significant international role in the new global order (Slaughter 2005), the EU has to fully take into account and built upon its *modernity*, here understood as ‘governance’.

Although the EU has long played a secondary role in the Middle East compared to the US, the latter’s attempts to impose democracy into the Middle East has not proved effective so far (Russett 2005). In this context, Europe’s search for ways to become more “normal” an international player (Grevy 2007) is not likely to be an adequate answer. “New trajectories” for political processes (Neil 2006: 12) need to be opened via social innovation; the EU-FP Water Component may be one of them (see Appendix 3).

This paper sought to reveal an alternative dimension on which the EU-FP system may be assessed. To view the transformative power of EU-FP Water Component as an attempt to ‘modernize’ (Emerson 2007) the water-stakeholders’ network allows for the potential for co-operation, identified by Keohane (2000) and Slaughters (2005) and by Wolf (2000) in transboundaries water management, to be harnessed and exploited. Seeing that Lebanese political authority (*actor*) is responding positively to these channels (*processes*), normative systems are ‘exported’ producing political transformation, or governance. Hence, this analysis suggests that the EU should help local actors to explore regional schemes that could introduce new, cooperative dynamic (Grevi 2008) which can separate territorial sovereignty from water security.

## CHAPTER VI: CONCLUDING COMMENTS

Moreover, in light of the pro-active efforts of other international organisations (e.g. UNESCO, Green Cross, UN with the *Water for Peace* programme), the EU need will have to collaborate more so as to enhance its leading role in the field. ‘Governance by network’ implies indeed that the more *actors* are involved in the *process*, the greater the chances for security to surface. Yet, as M. Mazzitti argued, “Europe needs to become conscious of

itself and of its influence in the world” (Presentation in Zaragoza 2008). “Normative power by default” (Laidi 2008) produces unintended consequences (i.e. a lack of control over the already chaotic system of IR) but not coherence. For these rules and norms to effectively shape the processes of interactions in Middle East politics, EU-FP Water Component needs to be a strategy. Only then can the real political implications of the WFD, that is shared water co-operation, come to surface.

As of today, the circumstances are exceptionally strategic for developing an EU-FP Water Component. Indeed, the Union’s Presidency is held by the French state, which has had a remarkably impressive history in water governance (from creating the first Basin Agency to acquiring a global reputation in the field globally, e.g. *Le Cercle Francais de L’eau*). In addition, the historical links between France and Lebanon are strong due to the colonial past and the EU now has a new instrument for developing regional projects with the Union for the Mediterranean created last July. This initiative will be successful depending on its capacity to attract more financial resources. Finally, the 5<sup>th</sup> World Water Forum will take place next March in Istanbul.

The normative power of the EU in water management on an international level has the potential to be used for stabilizing transboundary waters. Already, Europe has developed policies and projects to achieve development aims, which are intrinsically linked to conflict studies. Yet in order to fully exploit the conflict mitigation potential comprised in the WFD, Europe *needs* to become conscious, that is it needs to understand it - in the wider picture of world politics - as a foreign policy option. Thanks to the originality of the polity of the EU, the EU-FP system is rich: it is essential to keep and to make the most of those options.

## BIBLIOGRAPHY

- Aliboni, R., 2008 *"The Union For The Mediterranean: An Update"* Paper presented at the seminar on "The EU and the Future of the Med Region", Institute of European Democrats- IED, Brussels, July 8, 2008
- Adler, E. & Barnett, D., 1998 *"Security Communities"* (eds.) Cambridge: Cambridge University Press
- Amery H. A. & Wolf A. T. 2000 "Water and Geography, and Peace in the Middle East: an introduction" in *Water in the Middle East*. The University of Texas Press: Austin
- Allan, J. A. 2001 *"The Middle East Water Question – Hydropolitics and the Global Economy"* London: I. B. Taurus
- Arthur, B. 1994 "On the Evolution of Complexity", in (eds.) G. Cowan, G. Pines, D. Mezler, *Complexity: Metaphors, Models, and Reality*, Addison-Wesley: MA
- Axelrod, R. M., 1997 *"The Complexity of Cooperation: agent-Based Models "* Princeton, NJ: Princeton University Press
- Bicchi, F., 2006 "Our Size Fits All: Normative Power Europe and the Mediterranean" in *Journal of European Public Policy*, Special Issue Vol.13, No.2
- Blanc, P. 2006 "Developpement Regional et Cohesion 'nationale'" in *Confluences Mediterranee*, No56
- Blatter, J., 2000 "State Markets and Beyond: Governance of Transboundary Water Resources" in *Natural Ressources*, Vol. 40 pp.439.
- Brian, W. A., 1992 "Complexity in Economic Theory" *The American Economic Review*, Vol, 84 No 2, p406-11
- Buzan, B. & Waever, O. & de Wilde, J. 1998 *A New Framework for Analysis*, London: Lynne Rienner
- Cardozo, A. C., 2003 *"Water bodies and typology"* in Workshop on 'Ecological Status and Intercalibration' 6-7 February 2003, JRC Ispra, Italy.
- Cederman, L., 1997 *"Emergent Actors in World Politics: How States and Nations develop and dissolve"* Princeton, NJ: Princeton Univ. Press
- Charvet, S., 1999 *"Integration des acquis theoriques recents dans le diagnostic de la qualite ecologique des cours d'eau a l'aide des bioindicateurs invertebres"* Claude Bernards, Lyon 1 University, PhD Thesis
- Choucri, N., & North, R., 1972 *"Dynamics of international conflict Theory and policy in international relations"*, (eds.) R. Tanter and R. Ullman, pp.80-122. Princeton, N.J.: Princeton University Press
- Daibes-Murad, F. 2005 "A New Legal Framework for Managing the Worlds Shared Groundwaters: A Case-Study From The Middle-East"

- Dellapenna, J. W., 2001 "The Customary International Law of transboundary Freshwaters"  
*International Journal of Global Environmental Issues*, Vol. 1, No. 3/4, pp. 264-289
- Diez, T., & Pace, M., 2007 "Normative Power Europe and Conflict Transformation" in European Union Studies Association (EUSA) Biennale Conference, 19<sup>th</sup> May 2007, pp.16.
- Emerson, M., 2002 "*The Wider Europe As The European Union's Friendly Monroe Doctrine*" Policy Brief of the Centre for European Policy Studies, October 2002.
- EuroMeSCo 2006 "*Domestic Politics and Conflict in the Cases of Israel, Palestine and Lebanon*", International Affairs Institute (Rome) & Lebanese Centre for Policy Studies (Beirut), October
- Finnemore, M., & Sikkink, K., 1998 "International Norms and Political Change", *International Organization*, autumn 1998 pp.887-917
- Foucault, M. 1991 'Governmentality', in G. Burchell, C. Gordon & P. Miller (eds) *The Foucault Effect: Studies in Governmentality*, pp. 87-104. Chicago, IL: University of Chicago Press.
- Foucault, M. 2000 *Power: Essential Works of Foucault, 1954-1984*, vol.3. New York: The New Press.
- Friedman, G. & Starr, H., 1997 "*Agency, Structure, and International Politics: From Ontology to Empirical Inquiry*" New York: Routledge
- Frijters, I. D., Leentvaar, J. 2003 "Rhine Case Study" in "*From Potential Conflict to Co-operation Potential*" UNESCO-IHP, p33
- Forgacs, D. 2001 "*Selections from Cultural Writings/ Antonio Gramsci*", London: Electirc Book Co.
- Gill, S. & Law, D., 1988 "*The Global Economy: Perspective, Problems, and Policies*" New York: Harvester Wheatsheaf
- Grevi, G. 2008 "The EU and Global Governance: Rules, Power and Priorities", EUISS Report from the 5-6 June 2008 seminar in cooperation with the IAI
- Gupta, J., 2007 "'Glocal' Water Governance: Controversies and Choices" UNESCO-IHE, Institute for Water Education, Discussion Paper 13<sup>th</sup> June 2007, Delft; Netherlands
- Haddadin, M. J., 2002 "Water Issues in the Middle-East Challenges and Opportunities" *Water Policy*, Vol.4, pp.205-222.
- Hakkoula, H. 2007 "*A Normative Power or a Normative Hegemon? The EU and its European Neighbourhood Policy*", a paper prepared for EUSA 10<sup>th</sup> Biennial Conference in Montreal, Canada 17-19 May 2007
- Hill, C., 1998 "The Capabilities-Expectations Gap, or Conceptualising Europe's International Role", *Journal of Common Market Studies* Vol, 31, No.3 pp305-28
- 2003 "*The Changing Politics of Foreign Policy*", Palgrave: London

- Hix, S., 2005 *"The Political System of the European Union"* 2<sup>nd</sup> edition, Palgrave MacMillan: London
- Hussein, A., 2002 "Water wars in the Middle East: a looming threat", *The Geographical Journal*, Vol. 168, No. 4, pp.313-21
- Jaber, B. & Catafago, S., 2001 *"Analyse des Strategies et Perspectives de l'Eau au Liban"* Plan Bleu Rapport-Centre d'Activite Regionales January 2001
- Kallis, G. & Nijkamp, P., 1999 *"Evolution of EU Water Policy: A Critical Assessment and a Hopeful Perspective"*, Serie Research Memoranda, Vrije University
- Katzenstein, P., 1996 *"The Culture of National Security: Norms and Identity in World Politics"* Columbia University Press: New York
- Kelley, J.F. 1990 "Towards a Foucauldian Analysis of International Regimes" *International Organisation*
- Kennedy, D., 2004 *"Speaking Law to Power: International Law and Foreign Policy"* Closing Remarks Madison Wisconsin, March 6, 2004
- 2008 *"The Mystery of Global Governance"* Kormendy Lecture Ohio Northern University, Pettit college of Lwe, January 25, 2008
- Keohane, R. O. 1988 "International Institutions: Two Approaches" *International Studies Quarterly*, Vol. 32, No.4
- Keohane, R. O., 2001 "Governance in a Partially Globalized World" Presidential Address, annual Meeting of the American Political Science Association 2000, *American Political Science Review* Vol. 95 (March 2001) p.1
- Knorr, K. & Rosenau, J. N. 1969 *"Contending Approaches to International Politics"*, Princeton, N.J.: University Univ. Press
- Laidi, Z., 2008 *"The Normative Empire: The Unintended Consequences of European Power"* GARNET Policy brief, 6<sup>th</sup> EU Framework Programme
- Larsen, T., 2008, *"IWRM at a glance"* Global Water Partnership, Technical Advisory Committee
- Lassere, F., 2007 "Conflits Hydrauliques et Guerres de l'eau: Un Essai de Modelisation", *Revue Internationale Strategique*, Vol.66 , ete 2007 pp105-118
- Lasserre, F., Brun, A. & Bureau, J. C., 2006 *"Mise en perspective comparée du développement de l'Organisation"* Vol. 44, No.83-105
- Etats-unis et en France"* Vol. 81, No. 1 pp5-15
- Lavenex, S., 2004 "EU External Governance in "Wider Europe"" *Journal of European Public Policy*, Vol. 11, No. 4, pp680
- Lepawsky, A. 1963 "International Development of River Resources" in *International Affairs* !!!VOL?
- Long, W., 2007, "Water reform efforts stuck in neutral as crisis looms Experts", *The Daily Star*, Aug. 20, 2007

- Luft, G., 2002 "The Wazzani River Dispute: More Tension Along the Israel-Lebanon Border" in: *Peace Watch*, No. 397, 20 September
- Majzoub, T., 1997 "L'Eau, Un Nouvel Instrument Diplomatique de la France au Proche Orient" *Confluences Méditerranée* Hiver, 1996-1997, No. 20
- Manners, I., 2002 "Normative Power Europe: A Contradiction in Terms?" *Journal of Common Market Studies*, Vol. 40, No.2 pp.235-58
- Manners, I., 2006 "The European Union as a Normative Power: A Response to T. Diez" *Millennium*, Vol. 35, No.1, pp.167-80
- Mc Caffrey, S. C. 2001 "*The Law of International Watercourses: Non-navigational Uses*" Oxford, New York: Oxford University Press.
- Mc Caffrey, S., 2001 "The Contribution of the UN Convention on the Law of the Non-Navigational Uses of International Watercourses" *International Journal of Global Environmental Issues*, Vol. 1, No. 3/4 2001
- Merlingen, M. 2003, "Governmentality: Towards a Foucauldian Framework for the Study of IGOs" in *Cooperation and Conflicts* Vol 38
- Muzu, C., 2008 "*The Instruments of European Foreign Policy and their use in the case of the Arab-Israeli Peace Process: A Case of Insufficiency, Inadequacy, Misuse or Under-Utilization?*" paper presented at the annual meeting of the ISA's 49th Annual Convention- Mar 26, 2008 "Bridging Multiple Divides", San Francisco
- Naff, T., & Matson, R., 1984 "*Water in the Middle East: Conflict or Cooperation*", Boulder, Colorado: Westview Press
- Naff, T. 1993 "Israel and the Waters of South Lebanon." In J. Kolars, T. Naff, and K. Malouf (eds.), *The Waters of the Litani in Regional Context*. Oxford: Centre for Lebanese Studies
- Neumann, Iver B., 1998 "Identity and the Outbreak of War: or Why the Copenhagen School of Security Studies Should Include the Idea of 'Violatisation' in its 'Framework of analysis'", *International Journal of Peace Studies*, 3, I (January):1-10
- Newman, D. 2002 "The Wazzani and Our Water Problem", in *The Jerusalem Post*, in "A Thirst for Escalation" September, 18<sup>th</sup> 2002
- Nye, J., 2004 "*Soft Power: The Means to Success in World Politics*" New York: Public Affairs
- Perard, E. 2007, „*Private Sector Participation and Regulatory Reform in Water Supply: The MEDA Experience*“ Feb. 2007- FEEM
- Regner, J., 2008 "*Sustainable Water Management*" 2nd MEDA Water Regional Event on Local Water Management – Marrakech 28-30 April 2008
- Richardson, J., 1997 "EU Water Policy: Uncertain Agendas, Shifting Networks and Complex Coalitions", *Environmental Politics*, London, Vol.3, No. 4, pp.139-167



- Russett, B., 2005 "Bushwacking the Democratic Peace" *International Studies Perspectives* Vol. 6, No.4 (November), p395-408
- Selby, J., 2003 *Water, Power and Politics in the Middle East – The Other Israeli-Palestinian Conflict*, London: MacMillan
- Sengupta, S., 2002 "In Israel and Lebanon, Talk of War Over Water", in *New York Times*, 16 October 2002
- Slaughter, A., 2004 "*A New World Order*" Princeton, N.J.: Princeton University Press
- Sloss, D., 2006 "Do International Norms Influence State Behaviour" in *George Washington International Law Review*
- Sjursen, H., 2006 "The EU as a Normative Power: How Can This Be?" *Journal of European Public Policy*, Vol. 13, No. 2, pp. 235-255
- Smith, K., 2002 "*European Union Foreign Policy: What it Is and What it Does*" Pluto Press
- Smith, K 2005 "The Outsiders: The ENP" *International Affairs*, Vol. 81, No. 4, pp. 757-73
- Stauffer, J. R., 1982 "The Lure of the Litani" *Middle East International*, N.20, April 1984, pp.12-13
- Tezcan, M., 2007 "*A Complex Adaptive Systems Critique to Mainstream IR Theory: A case study of foreign policy integration in Europe as a complex system*" BISA workshop IR 'After Post-positivism' London, 6 October 2007.
- Tonra, B., & Christiansen, T., 2004 *Rethinking European Union Foreign Policy: Between International Relations and European Studies*, Manchester University Press
- Tovias, A. & Ugur, M., 2004 "Can The EU Anchor Policy Reform in Third Countries? An Analysis of the Euro-Partnership" *European Union Politics*, Vol. 5, No. 4, pp.395-418
- Vinogradov, S., Wouters, P. & Jones, P. "Transforming Potential Conflict into Cooperation Potential: The Role of International Water Law" Technical Documents in Hydrology: PC→CP series;No2.
- Vogler, J., 2006 "*The EU as a global actor*"
- Wallace, W., 2003 "Looking After Neighbourhood: Responsibilities for the EU-25" *June 2003 Working Papers*
- Warner, J., Wester, P. & Bolding, A. 2008 "Going with the Flow: River Basins as the Natural Units for Water Management?" *Water Policy Supplement*, Vol.2 pp.121-138
- Wendt, A. 1999 "*Social Theory of International Politics*" Cambridge University Press
- Wolczuk, L., 2006 "Domestic Politics and European Integration in Ukraine" *The International Spectator*, Vol. XLI, No.4 pp.607-622.
- Wolf, A., 2000 "Indigenous Approaches to Water Conflicts Negotiations

and Implications for  
International Waters”  
*International Negotiation: A Journal  
of Theory and Practice* Vol.5, No.2

Wouters, P. 1997 “*International Water  
Law: Selected Writings of Professor  
Charles B. Bourne*” Kluwer Law  
International: London (Editors’  
forewords)

Zalzburg, O. 2004 “*Europe and the  
Israelis: Influencing Foreign Public  
Opinion with Foreign Policy*”  
London School of Economics  
International Relations  
Department Papers  
[http://www.lse.ac.uk/Depts/  
intrel/EFPC/Papers/Zalzburg.doc](http://www.lse.ac.uk/Depts/intrel/EFPC/Papers/Zalzburg.doc)

Zeitoun, M., & Warner, J. 2006  
“Hydro-hegemony – A  
Framework For Analysis of  
Transboundary Water Conflicts”  
in *water Policy* Vol. 8, pp435-460

Zielonka, J. 2001 “How New Enlarged  
Borders Will Reshape the  
European Union” *Journal of  
Common Market Studies*, Vol. 39,  
No. 3, pp. 507-36

Zisser, E., 2002 “Israel and Lebanon:  
The Battle for the Wazzani” in  
Heller, M. (Ed.): *Tel Aviv Notes –  
An update on political and strategic  
developments in the Middle East*, No.  
50 (Tel Aviv University, Mosche  
Dayan Center for Middle Eastern  
and African Studies, Jafee  
Center for Strategic Studies,  
October); at  
<[www.tau.ac.il/jcss/](http://www.tau.ac.il/jcss/)>

## Official Reports and Legislative documents:

- Directive 2000/60/EC; 23 October  
2000; Official Journal L 327,  
22/12/2000 P. 0001 – 0073 at  
[http://circa.europa.eu/Public/irc/env/  
wfd/library?l=/framework\\_directive/  
legislative\\_texts/wfd\\_en\\_pdf/ EN 1.0  
&a=d](http://circa.europa.eu/Public/irc/env/wfd/library?l=/framework_directive/legislative_texts/wfd_en_pdf/EN_1.0_&a=d)

Discussion Document 2007  
“Mediterranean EU Water Initiative/  
Water Framework Directive Joint  
Process: Second Phase” v. 06/12/07 at  
[http://www.minenv.gr/medeuwi/meet  
ings/Bled.Slovenia.10-  
11.December.2007\\_fr/3\\_Med\\_Joint%2  
0Process\\_Progress%20Report\\_EN.pdf](http://www.minenv.gr/medeuwi/meetings/Bled.Slovenia.10-11.December.2007_fr/3_Med_Joint%20Process_Progress%20Report_EN.pdf)

- EC Conflict Prevention and Crisis  
Management Unit, 2004 Rapid  
Reaction Mechanism “End of  
Programme Report – Wazzani springs  
dispute, January, 2004  
[http://www.medeu.be/files/Report\\_  
EU\\_Com\\_Water\\_Israel\\_Lebanon\\_Wa  
zzani.pdf](http://www.medeu.be/files/Report_EU_Com_Water_Israel_Lebanon_Wazzani.pdf)

- “Forum of the Water Directors of the  
Euro-Mediterranean and Southeastern  
European Countries”, Bled, Slovenia,  
10-11 December 2007 - 4<sup>th</sup> Conference

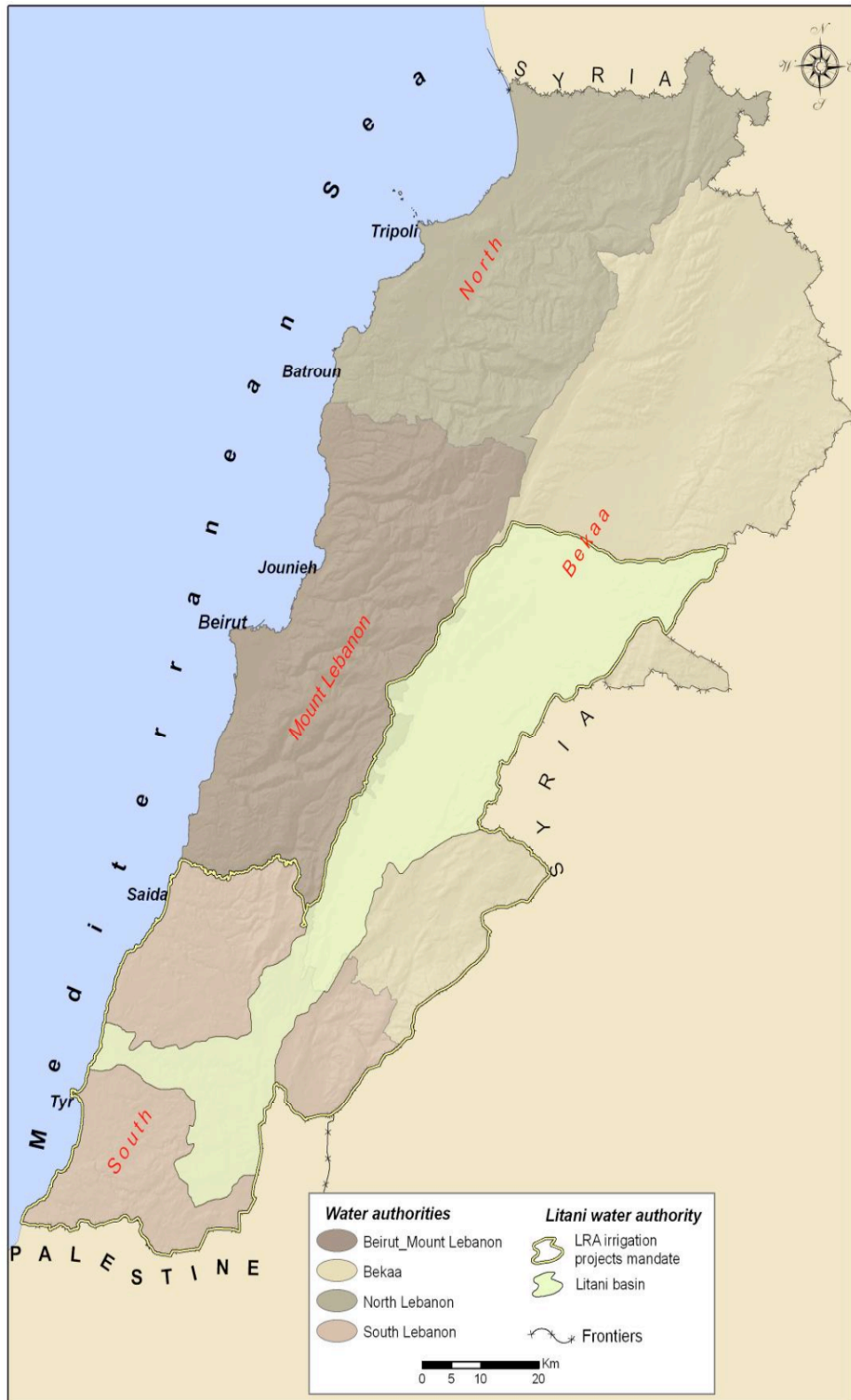
- United Nations Economic  
Commission for Europe, 1992  
“Convention on the Protection and  
Use of Transboundary Watercourses  
and International Lakes”, Helsinki at  
[http://www.unece.org/env/water/pdf  
/watercon.pdf](http://www.unece.org/env/water/pdf/watercon.pdf)



## APPENDICES

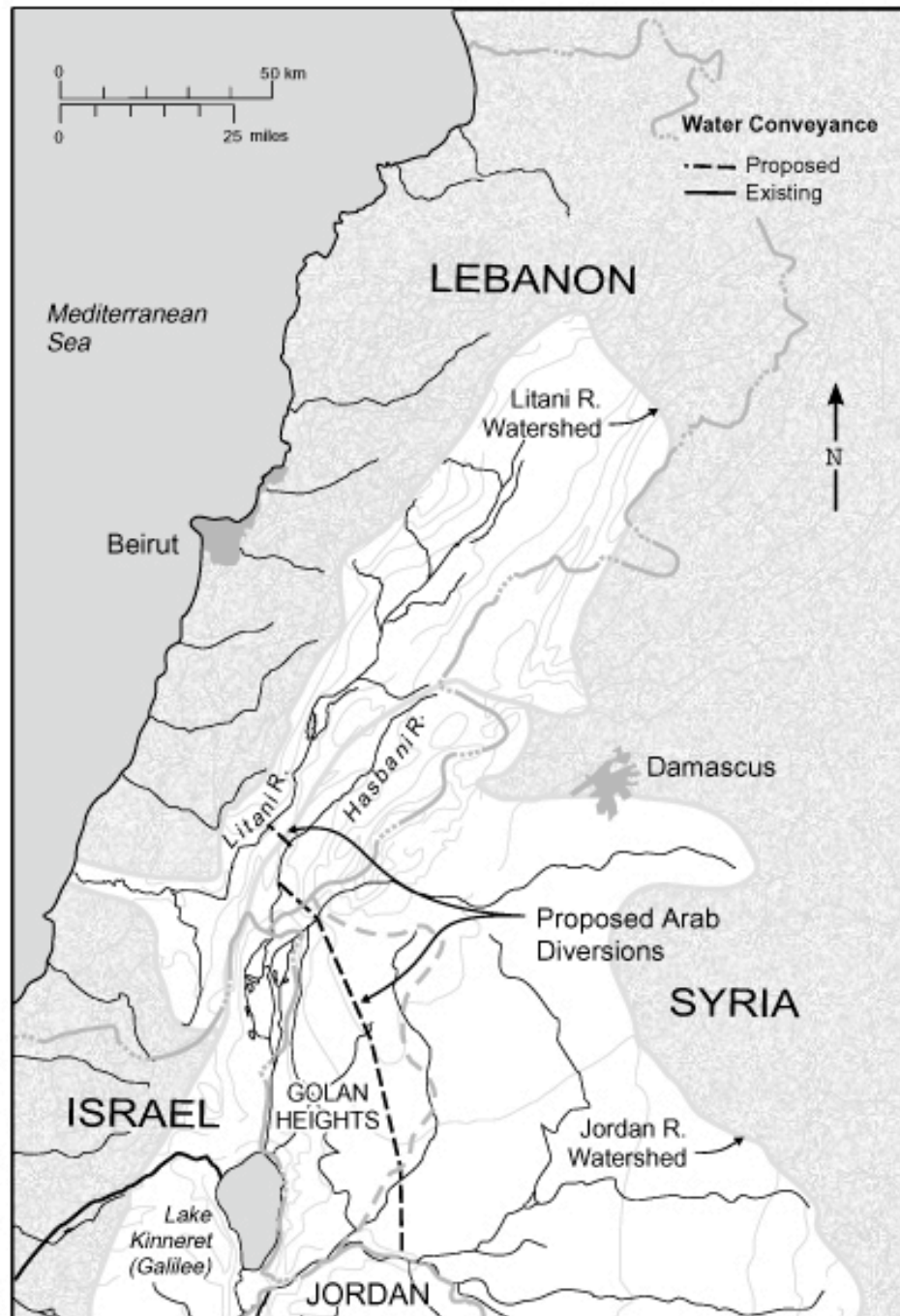
### Appendix 1: THE LEBANESE WATER AUTHORITIES

*Source: <http://www.inbo-news.org>*



## Appendix 2 THE LEBANESE WATERS

*Source:* [www.idrc.ca](http://www.idrc.ca)



### Appendix 3: NPE IN WATER MANAGEMENT

	INFLUENCE	POTENTIAL	NO or limited
International Water Law	X		
World Agenda	X		
Mediterranean (regional) Agenda		X	
Regional (Middle East) Treaties		X	
Access to Strategic Actors	X	X	
Modernisation of Normative Assumptions	X		
Political Commitment	X		
Mobilisation of Water Stakeholders		X	
Reforms (basin agencies, consumer associations...)			X

World Politics
Regional Level
Domestic Level